

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

STATE FARM FIRE AND CASUALTY)
COMPANY,)
Plaintiff,)
v.) Case No. CIV-23-372-G
GAGE FORD et al.,)
Defendants.)

ORDER

Now before the Court is Defendant Ally Stephens' Motion to Abstain and Dismiss or Stay (Doc. No. 21). Plaintiff State Farm Fire and Casualty Company has responded in opposition (Doc. No. 22). Plaintiff and Defendant Stephens have also filed supplemental briefs (Doc. Nos. 41, 42) as directed by the Court. *See* Order of Feb. 28, 2024 (Doc. No. 40).

A federal district court's "broad discretion to stay proceedings," *Clinton v. Jones*, 520 U.S. 681, 706 (1997), is inherent in its power to "control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants," *Landis v. N. Am. Co.*, 229 U.S. 248, 254 (1936). The party seeking a stay bears the burden of showing that there is a "pressing need for delay and that the other party will not suffer harm" as a result. *Nelson v. Granite State Ins. Co.*, No. CIV-08-1165-M, 2010 WL 680878, at *1 (W.D. Okla. Feb. 25, 2010).

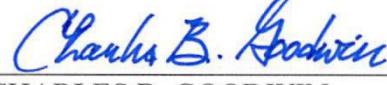
The Court finds that staying this matter is the most efficient course of action and will not be unduly prejudicial to any party, given the possibility that the disposition of

Defendant Gage Ford's criminal appeal before the Oklahoma Court of Criminal Appeals ("OCCA") could materially affect the claims at issue in this case. *See* Order of Feb. 28, 2024, at 1; Pl.'s Suppl. Br. at 2.

IT IS THEREFORE ORDERED that the Motion to Abstain and Dismiss or Stay (Doc. No. 21) is GRANTED as follows:

- All current deadlines are stricken, and all future proceedings in this matter are STAYED, pending the disposition of Defendant Gage Ford's criminal appeal in *Ford v. State*, No. F-2022-763 (Okla. Crim. App.) and further order of the Court.¹
- Defendant Stephens is ORDERED to notify the Court in writing of the OCCA's disposition of Defendant Ford's appeal within fourteen (14) days of that disposition.
- The parties are ORDERED, within thirty (30) days of the OCCA's disposition of Defendant Ford's appeal, to submit a joint status report providing the Court with their recommendation(s) as to how this action should proceed.

IT IS SO ORDERED this 8th day of March, 2024.


CHARLES B. GOODWIN
United States District Judge

¹ Although Plaintiff requests that the continuation of the stay in this action be conditioned upon the maintenance of the parties' voluntary stay in an underlying state civil case, the Court declines to so condition its stay. *See* Pl.'s Suppl. Br. at 2.